

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

JAMES DEAN CLOUD,

Defendant.

**Case No. 1:19-CR-2032-SMJ-1
CRIMINAL MINUTES**

DATE: FEBRUARY 28, 2022**LOCATION: SPOKANE****JURY TRIAL**

Hon. Salvador Mendoza, Jr.		
Linda Hansen	01/02	Kimberly Allen
Courtroom Deputy	Law Clerk	Court Reporter
Richard Burson Thomas Hanlon Government Counsel		Jay McEntire Lorinda Youngcourt Jeremy Sporn Defense Counsel

☒ **Open Court**☐ **Chambers**☐ **Teleconference**

Defendant present, in custody of the US Marshal. All parties present in the courtroom.

8:34 am**All parties present
w/o Jury**

The Court addressed the parties regarding the schedule for the day.
The parties agreed to read the Stipulation after opening statements.

8:38 am Jury panel brought into open court.**All parties present
w/Jury**

Court gave Preliminary Instructions to the jury.

9:02 am Opening statement by Thomas Hanlon on behalf of the Government.**[] ORDER FORTHCOMING**

CONVENED: 8:34 A.M. RECONVENED: 10:36 A.M. RECONVENED: 11:06 A.M. RECONVENED: 1:27 P.M. RECONVENED: 3:30 P.M. RECONVENED: 4:25 P.M.	RECESSED: 10:19 A.M. RECESSED: 10:57 A.M. RECESSED: 12:03 P.M. RECESSED: 3:15 P.M. RECESSED: 4:11 P.M. ADJOURNED: 5:00 P.M.	1 HR / 45 MINS 21 MINS 57 MINS 1 HR / 48 MINS 41 MINS 35 MINS	TOTAL: 6 HRS / 7 MINS
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9:30 am Opening statement by Jeremy Sporn on behalf of defendant.
The parties' Stipulation of Facts was read to the Jury.

Tom Hanlon moved to admit Government exhibits 1, 2, 3, 4, 5, 6, 7, 143, and 144 per the stipulation of the parties.

Court: ADMITTED

9:56 am Mike Peterson, sworn to testify

Direct examination by Tom Hanlon.
The witness identified the defendant in the courtroom.

10:04 am Cross examination by Lorinda Youngcourt.

Witness steps down and is excused

10:09 am Janet Hoptowit, sworn to testify

Direct examination by Tom Hanlon.

Recessed: 10:19 am

Reconvened: 10:36 am

All parties present

w/Jury

Janet Hoptowit, resumed the stand, previously sworn to testify

Cross examination by Lorinda Youngcourt.

Witness steps down and is excused.

10:40 am Patrick Lewis, sworn to testify

Direct examination by Richard Burson.

10:47 am Cross examination by Lorinda Youngcourt.

Witness steps down and is excused.

10:48 am Michelle Sconawah, sworn to testify

Direct examination by Richard Burson.

Recessed: 10:57 am

Reconvened: 11:06 am

All parties present

w/Jury

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10:48 am Michelle Sconawah, resumed the stand previously sworn to testify

Continued direct examination by Richard Burson.

Exhibit 141 discussed with witness.

Mr. Burson offered Government's Identification 141(Enrollment Documents) for admission.
No objection by defendant.

Court: Government's Exhibit 141 is admitted.

11:08 am Cross examination by Jeremy Sporn.

Witness steps down and is excused.

11:11 am Julie Saluskin, sworn to testify

Direct examination by Richard Burson.

11:20 am Cross examination by Lorinda Youngcourt.

Witness steps down and is excused.

11:23 am Wyeth Chad Wallace, sworn to testify.

Direct examination by Tom Hanlon.

Exhibit 142 discussed with the witness.

Mr. Hanlon offered Government's Identification 142 (Land Certification Documents) for admission.

No objection by defendant.

Court: Government's Exhibit 142 is admitted.

11:28 am Cross examination by Jeremy Sporn.

Witness steps down and is excused.

11:30 am Sergeant William (W.N.) Boyer, Yakima Nation Police Department, sworn to testify

Direct examination by Thomas Hanlon.

Exhibits 45, 46 discussed with witness.

Mr. Hanlon offered Government's Identification 45 (Map) for admission.

No objection by defendant.

Court: Government's Exhibit 45 is admitted.

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Mr. Hanlon offered Government's Identification 46 (Map) for admission.

No objection by defendant.

Court: Government's Exhibit 46 is admitted.

The Court admonished the Jury

12:00 pm Jurors excused from the courtroom

All parties present

w/o jury

The Court inquired if the parties needed any time outside the presence of the Jury. They did not. The Court directed the parties to return to the Courtroom by 1:15 pm.

Ms. Youngcourt made a motion to have the PowerPoint presentation used by the Government made part of the record. No objection by the Government.

Court: GRANTED

Recessed: 12:03 pm

Reconvened: 1:27 pm

All parties present

w/o Jury

The Court discussed the Governor's adjustment to the mask mandate with the parties.

1:30 pm Jury brought into open court

All parties present

w/Jury

Sergeant William (W.N.) Boyer, Yakima Nation Police Department, resumed the stand previously sworn to testify

Continued direct examination by Mr. Hanlon.

Exhibits 45, 33, 34, 35, 36, 37, 38, 39, 40, 41, 57, 58, 55, 59, 47, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 75, 76, 77, 78, 79, 80, 81, 82, 71, 72, 73, 83, 50, 51, 52, 54, 106, 107, 108, 14, 97, 98, 99, 100, 101, 102, 103, 104, 109, 110, 111, 112, 113, 114, 120 discussed with witness.

Mr. Hanlon offered Government's Identifications 33-41 (Photographs of Victim DO Truck) for admission.

No objection by defendant.

Court: Government's Exhibits 33-41 are admitted.

Mr. Hanlon offered Government's Identification 32 (Photograph - Chair) for admission.

Voir dire of the witness by Ms. Youngcourt. No objection by defendant.

Court: Government's Exhibit 32 is admitted.

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Mr. Hanlon offered Government's Identifications 47-95 (Photographs) for admission.
Voiur dire of the witness by Ms. Youngcourt. No objection by defendant.

Court: Government's Exhibits 47-95 are admitted.

Mr. Hanlon offered Government's Identifications 106-108 (Photographs) for admission.
No objection by defendant.

Court: Government's Exhibits 106-108 are admitted.

Mr. Hanlon offered Government's Identification 14 (Green Bag) for admission.
No objection by defendant.

Court: Government's Exhibit 14 is admitted.

Mr. Hanlon offered Government's Identifications 97-104 (Photographs) for admission.
No objection by defendant.

Court: Government's Exhibits 97-104 are admitted.

Mr. Hanlon offered Government's Identifications 109-114 (Photographs) for admission.
No objection by defendant.

Court: Government's Exhibits 109-114 are admitted.

Mr. Hanlon offered Government's Identification 120 (Photograph – area near abandoned truck)
for admission.

No objection by defendant.

Court: Government's Exhibit 120 is admitted.

Mr. Hanlon offered Government's Identification 121 (Photograph – area near abandoned truck)
for admission.

No objection by defendant.

Court: Government's Exhibit 121 is admitted.

Mr. Hanlon offered Government's Identification 123 (Photograph – area near abandoned truck)
for admission.

No objection by defendant.

Court: Government's Exhibit 123 is admitted.

Mr. Hanlon offered Government's Identifications 116-118 (Photographs - Abandoned Truck) for
admission.

No objection by defendant.

Court: Government's Exhibits 116-118 are admitted.

3:15 pm Jury excused from open court

All parties present

w/o Jury

Richard Burson addressed the Court regarding a witness scheduling issue for tomorrow.
Attorney Roger Peven addressed the Court.

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Recessed: 3:21 pm

Reconvened: 3:35 pm

All parties present

w/Jury

Sergeant William (W.N.) Boyer, Yakima Nation Police Department, resumed the stand previously sworn to testify

Continued direct examination by Mr. Hanlon.

Exhibits 45, 121, 123, 116, 117, 118, 113, 124 discussed with the witness.

Mr. Hanlon offered Government's Identifications 124-126 (Photographs of canal/firearm) for admission.

No objection by defendant.

Court: Government's Exhibits 124-126 are admitted.

3:48 pm Cross examination by Lorinda Youngcourt

Exhibit 1018 discussed with the witness.

Ms. Youngcourt offered Defendant's Identification 1018 (Photos of Medicine Valley Satellite View) for admission.

No objection by the Government.

Court: Defendant's Exhibit 1018 is admitted.

Recessed: 4:11 pm

Reconvened: 4:25 pm

Sergeant William (W.N.) Boyer, Yakima Nation Police Department, resumed the stand previously sworn to testify

Continued cross examination by Lorinda Youngcourt.

Exhibits 59, 79, 107, 102, 1028, 118 discussed with the witness.

4:55 pm Re-direct by Mr. Hanlon

Witness steps down

The Court admonished the jury and directed them to return on Tuesday, March 1, 2022 to begin court proceedings at 8:30 a.m.

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4:56 pm Jury excused from open court

All parties present

w/o Jury

The Court and counsel discuss the witness schedule for tomorrow.

5:00 pm Adjourned